

APPENDIX B

**STATEMENT OF WORK FOR
REMEDIAL ACTION
AT THE
INDUSTRIAL EXCESS LANDFILL SITE
UNIONTOWN, STARK COUNTY, OHIO**

I. PURPOSE

The purpose of this Statement of Work (SOW) is to set forth requirements for implementation of the Remedial Action set forth in the 2002 Record of Decision Amendment (2002 ROD Amendment), which was signed by the Regional Administrator of U.S. EPA Region 5 on September 27, 2002, for the Industrial Excess Landfill (IEL) Site. The Settling Defendants shall follow the 2002 ROD Amendment, the SOW, the approved Remedial Design, and, as appropriate, U.S. EPA Superfund Remedial Action Guidance and any additional guidance provided by U.S. EPA in submitting deliverables for implementing the Remedial Action at the IEL Site.

II. DESCRIPTION OF THE REMEDIAL ACTION/PERFORMANCE STANDARDS

Settling Defendants shall implement the Remedial Action to meet the performance standards and specifications set forth in the 2002 ROD Amendment and this SOW. Performance standards shall include cleanup standards, standards of control, quality criteria and other substantive requirements, criteria or limitations including all Applicable or Relevant and Appropriate Requirements (ARARs) set forth in the 2002 ROD Amendment, SOW and/or Consent Decree.

1. Site Security

The Settling Defendants shall maintain the existing five-foot fence at the IEL Site to prevent access and vandalism to the Site. Warning signs shall be posted on each of the four sides of the fence. The warning signs shall identify the IEL site as a Superfund site that is being managed by US EPA, and shall provide contact information for US EPA. Settling Defendants shall ensure that this fence remains intact and access to the Site is restricted until a determination is made regarding any appropriate future use restrictions for the IEL Site.

2. Restrictive Covenants/Deed Restrictions

Upon completion of the Risk Assessment Study described in Section III, Task 4 of this SOW, Settling Defendants shall propose appropriate restrictive covenants/deed restrictions to insure that the remedial action remains protective of public health and the environment.

3. Installation and Operation of a Monitoring Program for Remedial Action

The Settling Defendants shall implement monitoring programs to evaluate and ensure that the construction and implementation of the Remedial Action comply with approved plans, design documents, and performance standards.

A. Groundwater Monitoring

The Settling Defendants shall implement a groundwater monitoring program as identified in Section 5 and Tables 9 and 10 of the approved Remedial Design for the IEL Site. Upon lodging of the Consent Decree, Settling Defendants shall begin sampling monitoring wells in accordance with the schedule in the approved Remedial Design. Monitoring shall continue for at least eight years, allowing for a minimum of two additional Five-Year Reviews (in 2006 and 2011) for the IEL Site. It is anticipated that some reduction in analysis or monitoring may be appropriate, and U.S. EPA can be petitioned for such a reduction if

sampling results indicate that the remedy will remain protective. However, the earliest that U.S. EPA will consider reduced frequencies for groundwater monitoring is at the completion of the second Five-Year Review for the IEL site, which is to be completed in September 2006.

If additional information indicates that the groundwater monitoring program is inadequate, U.S. EPA may require additional groundwater monitoring wells and laboratory analysis of additional parameters. Monitoring wells designated for sampling and required analytical parameters are identified in the approved Remedial Design for IEL.

B. Extraction/Treatment System Monitoring

The Settling Defendants shall implement a monitoring program for the methane venting system (MVS) as identified in the approved Remedial Design. The Settling Defendants shall operate and maintain the MVS in accordance with Table 11 of the approved Remedial Design for the IEL Site, along with recommendations resulting from any future approved studies.

III. SCOPE OF REMEDIAL ACTION

The Remedial Action shall consist of four tasks. All plans are subject to EPA approval.

Task 1: Remedial Action Construction

- A. Preconstruction Meeting
- B. Prefinal Inspection
- C. Final Inspection
- D. Reports
 - 1. Final Construction Report
 - 2. Completion of Work Report

Task 2: Progress Reports

Task 3: Operation and Maintenance

Task 4: Additional Surveys, Investigations, and Studies

Task 1: Remedial Action Construction

The Settling Defendants shall implement the Remedial Action as detailed in the approved Final Design for the IEL Site. The following activities shall be completed in constructing the Remedial Action.

- A. Preconstruction inspection and meeting:

The Settling Defendants shall participate with the U.S. EPA and the State in a preconstruction inspection and meeting to:

- a. Review methods for documenting and reporting inspection data;
- b. Review methods for distributing and storing documents and reports;

- c. Review work area security and safety protocol;
- d. Conduct a Site walk-around to verify that the design criteria, plans, and specifications are understood and to review material and equipment storage locations.

The preconstruction inspection and meeting shall be documented by a designated person and minutes shall be transmitted to all parties.

B. Prefinal inspection:

Within 14 days after Settling Defendants make preliminary determination that construction is complete, the Settling Defendants shall notify the U.S. EPA and the State for the purposes of conducting a prefinal inspection. The prefinal inspection shall consist of a walk-through inspection of the entire Site with U.S. EPA. The inspection is to determine whether the project is complete and consistent with the contract documents and the Remedial Action. Any outstanding construction items discovered during the inspection shall be identified and noted. The prefinal inspection report shall outline the outstanding construction items, actions required to resolve items, completion date for these items, and a proposed date for final inspection.

C. Final inspection:

Within 14 days after completion of any work identified in the prefinal inspection report, the Settling Defendants shall notify the U.S. EPA and the State for the purposes of conducting a final inspection. The final inspection shall consist of a walk-through inspection of the entire Site by U.S. EPA and the Settling Defendants. The prefinal inspection report shall be used as a checklist with the final inspection focusing on the outstanding construction items identified in the prefinal inspection. Confirmation shall be made that outstanding items have been resolved. If any items remain unresolved, an additional final inspection will be scheduled.

D. Reports

1. Final Construction Report

This report shall be submitted by the Settling Defendants after construction is complete, but when performance standards have not yet been attained.

Within 30 days of a successful final inspection, Settling Defendants shall submit a Construction Completion Report. In the report, a registered professional engineer and the Settling Defendants' Project Coordinator shall state that the Remedial Action has been constructed in accordance with the design and specifications. The written report shall include as-built drawings signed and stamped by a professional engineer. The report shall contain the following statement, signed by a responsible corporate official of a Settling Defendant or the Settling Defendants' Project Coordinator:

"To the best of my knowledge, after thorough investigation, I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

2. Completion of Remedial Action Report

This report shall be submitted by Settling Defendants after construction is complete and performance standards, including all ARARs, have been attained. Completion of Remedial Action does not require completion of O&M work.

Within 30 days of completion of all Remedial Action, including attainment of all performance standards, Settling Defendants shall submit a Completion of Remedial Action Report. In the report, a registered professional engineer and the Settling Defendants' Project Coordinator shall state the Remedial Action has been completed in full satisfaction of the requirements of this Consent Decree. The written report shall include as-built drawings signed and stamped by a professional engineer not previously submitted. The report shall contain the following statement, signed by a responsible corporate official of a Settling Defendant or the Settling Defendants' Project Coordinator:

"To the best of my knowledge, after thorough investigation, I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

3. Completion of Work Report

This report shall be submitted by the Settling Defendants after construction is complete, performance standards have been attained and O & M is complete or not required.

Within 30 days of completion of the Work, including Operation and Maintenance, Settling Defendants shall submit a Completion of Work Report. In the report, a registered professional engineer and the Settling Defendants' Project Coordinator shall state the Work has been completed in full satisfaction of the requirements of this Consent Decree. The written report shall include as-built drawings signed and stamped by a professional engineer not previously submitted. The report shall contain the following statement, signed by a responsible corporate official of a Settling Defendant or the Settling Defendants' Project Coordinator:

"To the best of my knowledge, after thorough investigation, I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Task 2: Progress Reports

The Settling Defendants shall, at a minimum, provide to U.S. EPA and Ohio EPA signed monthly progress reports during the construction phase of the remedy, along with signed quarterly reports for O&M. The quarterly O&M reports shall summarize sampling and analysis activities, chart contaminant levels by well, contaminant, and location, and shall comment on contaminant level trends. Quarterly O&M reports will be replaced by less frequent reports if U.S. EPA approves a monitoring frequency less than quarterly. In general, the O&M reports shall be submitted no less frequently than the frequency of the sampling events.

The monthly progress reports and O&M reports shall contain:

1. A description of the individual tasks and an estimate of the percentage of RA completed;
2. Summaries and discussions of all findings;
3. Summaries and discussion of all approved and unapproved changes made in the RA during the reporting period;
4. Summaries of all contacts with representatives of the local community, public interest groups, or local or State governments during the reporting period;
5. Summaries of all problems or potential problems encountered during the reporting period;
6. Actions being taken to rectify problems;
7. Changes in personnel during the reporting period;
8. Projected work for the next reporting period; and
9. Copies of reports generated during the course of the RA, including, but not limited to, daily reports, inspection reports, and laboratory/monitoring data.

Task 3: Operation and Maintenance

The Settling Defendants shall prepare an Operation and Maintenance (O&M) Plan to cover both implementation and long term maintenance of the Remedial Action. An initial Draft O&M Plan has been included as part of the final Design for the IEL Site. The final O&M Plan shall be submitted to U.S. EPA prior to the prefinal construction inspection, in accordance with the approved construction schedule. The plan shall be composed of the following elements:

1. Description of normal operation and maintenance ;
 - a. Description of tasks for operation;
 - b. Description of tasks for maintenance;
 - c. Description of prescribed treatment or operation conditions; and
 - d. Schedule showing frequency of each O&M task.
2. Description of potential operating problems;
 - a. Description and analysis of potential operation problems;
 - b. Sources of information regarding problems; and
 - c. Common and/or anticipated remedies.
3. Description of routine monitoring and laboratory testing;
 - a. Description of monitoring tasks;
 - b. Description of required data collection, laboratory tests and their interpretation;

- c. Required quality assurance, and quality control;
 - d. Schedule of monitoring frequency and procedures for a petition to U.S. EPA to reduce the frequency of or discontinue monitoring; and
 - e. Description of verification sampling procedures if Cleanup or Performance Standards are exceeded in routine monitoring.
4. Description of alternate O&M;
- a. Should systems fail, alternate procedures to prevent release or threatened releases of hazardous substances, pollutants or contaminants which may endanger public health and the environment or exceed performance standards; and
 - b. Analysis of vulnerability and additional resource requirement should a failure occur.
5. Corrective Action;
- a. Description of corrective action to be implemented in the event that cleanup or performance standards are exceeded; and
 - b. Schedule for implementing these corrective actions.
6. Health and Safety plan;
- a. Description of precautions, of necessary equipment, etc., for Site personnel; and
 - b. Safety tasks required in event of systems failure.
7. Description of equipment; and
- a. Equipment identification;
 - b. Installation of monitoring components;
 - c. Maintenance of Site equipment; and
 - d. Replacement schedule for equipment and installed components.
8. Records and reporting mechanisms required.
- a. Daily operating logs;
 - b. Laboratory records;
 - c. Records for operating costs;
 - d. Mechanism for reporting emergencies;
 - e. Personnel and maintenance records; and
 - f. Monthly/annual reports to State agencies.

Task 4: Additional Surveys, Investigations, and Studies

The U.S. EPA may require the Settling Defendants to perform additional surveys, investigations, and studies to supplement the available data or as otherwise needed. The following additional studies have already been identified as necessary by U.S. EPA:

- 1. A risk assessment for exposure to site soils and landfill gases for evaluating any potential future uses of the site.

2. A study of the existing MVS system and associated future O&M requirements.

The Settling Defendants shall furnish all equipment, personnel, and funding necessary to complete any additional surveys, investigations, and studies needed. In particular, the Settling Defendants shall perform any work necessary to support Five-Year Reviews of the Remedial Action by U.S. EPA in accordance with CERCLA Section 121(c).

IV. CONTENT OF SUPPORTING PLANS

1. Contingency Plan

If a Final Contingency Plan has not been submitted and approved with the approved final design, Settling Defendants shall submit a Final Contingency Plan describing procedures to be used in the event of an accident or emergency at the site. The final Contingency Plan shall be submitted prior to the start of construction, in accordance with the approved construction schedule. The Contingency Plan shall include, at a minimum, the following:

1. Name of the person or entity responsible for responding in the event of an emergency incident.
2. Plan and date(s) for meeting(s) with the local community, including local, State and Federal agencies involved in the cleanup, as well as local emergency squads and hospitals.
3. First aid medical information.

2. Construction Quality Assurance Plan

Settling Defendants shall submit a Construction Quality Assurance Plan (CQAP) which describes the Site specific components of the quality assurance program which shall ensure that the completed project meets or exceeds all design criteria, plans, and specifications. The final CQAP shall be submitted prior to the start of construction in accordance with the approved construction schedule. The CQAP shall contain, at a minimum, the following elements:

1. Responsibilities and authorities of all organizations and key personnel involved in the construction of the Remedial Action.
2. Qualifications of the Quality Assurance Official to demonstrate (s)he possesses the training and experience necessary to fulfill his identified responsibilities.
3. Protocols for sampling and testing used to monitor construction.
4. Identification of proposed quality assurance sampling activities including the sample size, locations, frequency of testing, acceptance and rejection data sheets, problem identification and corrective measures reports, evaluation reports, acceptance reports, and final documentation. A description of the provisions for final storage of all records consistent with the requirements of the Consent Decree shall be included.
5. Reporting requirements for CQA activities shall be described in detail in the CQA plan. This shall include such items as daily summary reports, inspection data sheets,

problem identification and corrective measures reports, design acceptance reports, and final documentation. Provisions for the final storage of all records shall be presented in the CQA plan.

V. SUMMARY OF MAJOR DELIVERABLES/SCHEDULE

A summary of the project schedule and reporting requirements contained in this SOW is presented below:

<u>Submission</u>	<u>Due Date</u>
1. Award RA Contract(s)	Thirty (30) days after receipt of USEPA's Notice of Authorization to Proceed with RA
2. Pre-Construction Inspection and Meeting	(15) days after Award of RA Contract(s)
3. Initiate Construction of RA	15 days after Pre-Construction Inspection and meeting
4. Completion of Construction	August 2, 2004
5. Prefinal Inspection	No later than 5 days after completion of construction
6. Prefinal Inspection Report	No later than 14 days after completion of prefinal inspection
7. Final Inspection	No later than 5 days after completion of work identified in prefinal inspection report
8. Final O&M Plan	No later than Prefinal Inspection
9. Construction Completion Report	No later than 10 days after final inspection
10. Completion of Remedial Action Report	See Consent Decree and Task 1.D.2 of this SOW
11. Completion of Work Report	See Consent Decree and Task 1.D.3 of this SOW